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C O R R E C T E D C O P Y PARA MARKING SBU

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TAGS: [PREL](#) [PGOV](#) [SF](#)
SUBJECT: SCORPIONS TO BE DISMANTLED

¶1. (SBU) On October 20, the African National Congress (ANC) pushed through legislation to dissolve the Directorate of Public Prosecutions and amend the South African Police Services Bill. The October 20 meeting of Parliament's safety and security and justice committees was a joint meeting of the two committees. Despite appeals from opposition MPs for voting on the two Bills to be postponed so as to allow for more consultation within parties to decide if the Scorpions should be disbanded, ANC MPs steamed ahead, endorsing the legislation by twelve votes to six. Even with three of the strongest opposition parties, the Democratic Alliance (DA), the African Christian Democratic Party (ACDP) and the Inkatha Freedom party (IFP) against disbanding the Scorpions, the ANC used their power as the majority party in Parliament to approve two pieces of legislation, the South African Police Services Amendment Bill and the National Prosecuting Authority Amendment Bill. On October 23, the National Assembly formally voted on these two bills and the ANC used its overwhelming majority to push through the legislation 252 to 63. The legislation will be reviewed by the National Council of Provinces, but that is likely to be a mere formality.

¶2. (U) Opposition parties were unanimous in their criticism of the speed in which the bills were passed. In the October 21 edition of the Cape Argus, ANC MP Bulelani Magwanishe said opposition parties had sufficient time to discuss their position and that no amount of time would change the fact that parties were opposed to the legislation. DA MP Tertius Delpoit described the two pieces of legislation as "bad bills" which had nothing to do with increasing the country's capability to fight crime.

¶3. (U) The Scorpions will be replaced by the Directorate of Priority Crime Investigation (DPCI), who will be responsible for organized crime investigations, but will come under the auspices of the South African Police Service (SAPS) instead of operating autonomously as the Scorpions did. The new DPCI will fall under SAPS which has a very low rate of bringing cases to trial in contrast to the Scorpions which have a 94 percent conviction rate.

¶4. (U) Comment. A perception exists among the South African public and press that the Scorpions are being disbanded because they have been successful in prosecuting senior ANC members. In 2008, the Scorpions investigated ANC President Jacob Zuma for corruption, however, the case was dismissed on technical grounds. The investigation against Zuma resulted in increased pressure by the ANC to disband the Scorpions and in fact, to discredit the entire judicial system. Additionally, the move sends a negative message to both the international and domestic community that the South African Government is not serious about clamping down on organized crime. There are also serious doubts whether some high priority cases will continue now that the Scorpions have been disbanded. End comment.